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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/820,235	04/06/2004	Chin-Chun Chen	930074-2034	7484
20999 7590 10/04/2007 FROMMER LAWRENCE & HAUG 745 FIFTH AVENUE- 10TH FL. NEW YORK, NY 10151			EXAMINER LEE, PING	
			ART UNIT 2615	PAPER NUMBER
			MAIL DATE 10/04/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

**Application No.**

10/820,235

**Applicant(s)**

CHEN, CHIN-CHUN

**Examiner**

Ping Lee

**Art Unit**

2615

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 06 April 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Phillipps (US 2002/0057807) in view of Eromäki (US 7,158,634).

Regarding claim 1, Phillipps discloses a multimedia microphone device comprising:

a base (2);

an upright support member (4) having a lower coupling end coupled to said base (2), and an upper mounting end;

a sound pickup unit (7) mounted on said upper mounting end of said support member (Fig. 4 or 6);

a control circuit (keyboard or the CPU inherently included in the device) mounted in said base (2) and coupled electrically to said sound pickup unit (7);

a host transmission unit mounted on said base, coupled electrically to said control circuit, and adapted to establish signal transmission between said control circuit and an external host terminal so as to permit transmission of signals picked up by said sound pickup unit to the host terminal; and

an expansion transmission unit mounted on said base, coupled electrically to said control circuit, and adapted to establish signal transmission between said control circuit and an external peripheral device such that the host terminal is able to communicate with the peripheral device through said control circuit (see para. 0025).

Phillipps fails to explicitly show a host transmission unit to establish signal transmission between the control circuit and an external host terminal. It was well known in the art that the PDA as disclosed in Phillipps could receive and send message from an external host. Eromäki teaches a general PDA with hardware and software for performing this function. Thus, it would have been obvious to one of ordinary skill in the art to modify Phillipps in view of Eromäki by incorporating the necessary hardware and software for external transmission and reception in order to allow the user of the PDA to communicate with an external host.

Regarding claim 2, Phillipps shows that said support member (4) is coupled pivotally to said base (by 5).

Regarding claim 3, Phillipps shows that said support member (4) is bendable (see Fig. 6 for example).

Regarding claims 4 and 5, Phillipps fails to show the connection for the host transmission unit is the wired transmission unit or a wireless transmission unit. Examiner takes Official Notice that this feature is notoriously well known in the art. Thus, it would have been obvious to one of ordinary skill in the art to modify Phillipps and Eromäki by using the well-known wired transmission unit or the wireless transmission unit in order to enable the communication to and from the external host.

Regarding claim 6, Phillipps shows that expansion transmission unit includes first and second universal serial bus ports (para. 0025).

3. Claims 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Phillipps and Eromäki as applied to claim 1 above, and further in view of Wesby (US 7,027,808).

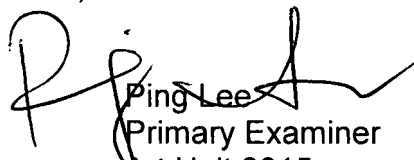
Regarding claims 7 and 8, Phillipps fails to show first and second status indicators. Wesby teaches a group of LEDs being used to indicate the status of various devices coupled to the wireless module, which could be a PDA. Thus, it would have been obvious to one of ordinary skill in the art to further modify Phillipps and Eromäki in view of Wesby by incorporating LEDs for indicating the status in order to give the user visual feedback.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ping Lee whose telephone number is 571-272-7522. The examiner can normally be reached on Monday, Wednesday and Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivian C. Chin can be reached on 571-272-7848. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
Ping Lee  
Primary Examiner  
Art Unit 2615

pwl